

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

TODD A. MARCUM,

Plaintiff,

:

Case No. 3:07-cv-214

-vs-

District Judge Thomas M. Rose

Chief Magistrate Judge Michael R. Merz

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UNITED STATES POSTAL  
SERVICE, et al.,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 23), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on August 21, 2008, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that this case be dismissed without prejudice for lack of jurisdiction.

August 25, 2008.

s/ Thomas M. Rose

Thomas M. Rose, Judge  
United States District Court